(XXVIIIth YEAR.) THE (No. 1436.)

MARYLAND GAZETTE.

THURSDAY, FEBRUARY 4, 1773

The FIRST CITIZEN *to the editor of the Dialogue between* TWO CITIZENS.

SIR,

THE intention of this addreſs is not to intice you to throw off a fictitious, and to aſſume a real character: for I am not one of thoſe who have puzzled themſelves with endleſs conjectures about your myſterious perſonage; a ſecret too deep for me to pry into, and if known, not of much moment; of as little is it in my opinion whether your complexion be olive or fair, your eyes black or gray, your perſon ſtrait or *incurvated*, your deportment eaſy and natural, inſolent, or affected; you have therefore my conſent to remain concealed under a borrowed name, as long as you may think proper. I ſee no great detriment that will thereby accrue to the publick; *you* will be the greateſt I nay! the only ſufferer; your fellow citizens, ignorant to whom they ſtand indebted for ſuch excellent lucubrations, will not know at what ſhrine to offer up their incenſe, and tribute of praiſe; to you this ſacrifice of glory will be the leſs painful, as *you are not actuated by vanity or a luſt of fame*; and in obſcurity you will have this conſolation ſtill left, the enjoyment of conſcious merit, and of ſelf-applauſe. Modeſt men of real worth are ſubject to a certain diffidence, called by the French *la mauvaiſe honte* [a], which frequently prevents their riſing in the world; you are not likely, I muſt own, to be guilty of that fault; *in vitium ducit culpæ fuga* [b]; you ſeem rather to have fallen into the other extreme, and to be fully ſenſible of the wiſdom of the French maxim, *il fault ſe faire valoir* [c], which for the benefit of my Engliſh readers, I will venture to tranſlate thus—"*A man ought to ſet a high value on his* "*own talents.*" This ſaying is ſomewhat analagous to that of Horace—*ſumæ ſuperbiam quæſitam meritis* [d]. As your manner of writing diſcovers vaſt erudition, and extenſive reading, I make no doubt you are thoroughly acquainted with the Latin and French languages, and therefore a citation or two from each may not be unpalatable.

Having paid theſe compliments to your literary merit, I wiſh it were in my power to ſay as much in favour of your candour and ſincerity. The editor of the dialogue between two Citizens, it ſeems, is the ſame perſon, who *overheard and committed to writing the converſation.* I was willing to ſuppoſe the editor had his relation at *ſecond hand*, for I could not otherwiſe account for the lame, mutilated, and imperfect part of the converſation attributed to me, without aſcribing the publication to downright malice, and wilful miſrepreſentation. Where I can, I am always willing to give the mildeſt conſtruction to a dubious action.—The editor has now put it out of my power of judging thus favourably of him, and as I have not the leaſt room to truſt to his impartiality a ſecond time, I find myſelf under the neceſſity of making a direct application to the preſs, to vindicate my intellectual faculties, which, no doubt, have ſuffered much in the opinion of the publick (notwithſtanding its great good nature) from the publication of the abovementioned dialogue.

The ſentiments of the firſt Citizen are ſo miſerably mangled and diſfigured, that he ſcarce can trace the ſmalleſt likeneſs between thoſe, which really fell from him in the courſe of that converſation, and what have been put into his mouth.

The firſt Citizen has not the vanity to think his thoughts communicated to a fellow citizen in private, of ſufficient importance to be made publick, nor would he have had the preſumption to trouble that awful tribunal with his crude and indigeſted notions of politics, had they not already been thus egregiouſly miſrepreſented in print. Whether they appear to more advantage in their preſent dreſs, others muſt determine; the newneſs of the faſhion gives them a quite different air and appearance; let the deciſion be what it will, ſince much depends on the manner of relating facts, the firſt Citizen thinks he ought to be permitted to relate them his own way.

1ſt Cit. I am ſorry that party attachments and connexions have induced you to abandon old principles; there was a time, Sir, when you had not ſo favourable an opinion of the integrity and good intentions of Government, as you now ſeem to have. Your conduct on this occaſion makes me ſuſpect that formerly *ſome men, not meaſures*, were diſagreeable to you. Have we reaſon to place a greater confidence in our *preſent rulers*, than in thoſe to whom I allude? Some of the preſent ſet (it is true) were then in power, others indeed were not yet provided for, and therefore a puſh was to be made to thruſt them into office, that all power might centre in *one family*. Is all your patriotiſm come to this?

[a] *An awkward baſhfulneſs.*

[b] *The avoiding one fault is apt to lead us into another.*

[c] *In the text theſe words have received a liberal interpretation; they mean ſtrictly—That a perſon ſhould aſſume a proper conſequence.*

[d] *May be tranſlated—Aſſume a pride to merit juſtly due.*

2d Cit. I do not like ſuch home expoſtulations, convince me that I act wrong in ſupporting Government and I will alter my conduct, no man is more open to conviction than myſelf——(Vide Dialogue to the words —"*would be all fair argument.*")

1ſt Cit. I am not ſurpriſed that the threadbare topics of arbitrary princes, and proclamations, ſhould give you uneaſineſs; you have inſinuated that the repetition of them is tireſome, but I ſuſpect the true cauſe of your averſion proceeds from another quarter. You are afraid of a compariſon between the *preſent miniſters* of this province, and *thoſe*, who influenced Charles the firſt, and brought him to the block; the reſemblance I aſſure you would be ſtriking. You inſinuate that "*The* "*opinions of the greateſt Counſel in England*" are come to hand, in favour of the proclamation, and 40 per poll, and you ſeem to lay great ſtreſs on thoſe opinions. A little reflection, and acquaintance with hiſtory will teach you, that the opinions of *Court Lawyers* are not always to be relied on; remember the iſſue of *Hambden's* trial; "*The prejudiced or proſtituted Judges (four* "*excepted*") (ſays Hume) "*gave ſentence in favour of* "*the Crown.*" The opinion, even of a Camden, will have no weight with me, ſhould it contradict a ſettled point of conſtitutional doctrine. On this occaſion I cannot forbear citing a ſentence or two from the juſtly admired author of the Conſiderations, which have made a deep impreſſion on my memory. "*In a queſ-* "*tion*" (ſays that writer) "*of publick concernment, the* "*opinion of no Court Lawyer, however reſpectable for* "*his candor and abilities, ought to weigh more than the* "*reaſons adduced in ſupport of it.*" He then gives his reaſons for this aſſertion; to avoid prolixity I muſt refer you to the pamphlet; if I am not miſtaken you will find them in page 12. Speaking ſhortly after of the opinions of Court Lawers upon "*American affairs*," he makes this pertinent remark—"*They*" (Court Lawyers opinions) "*have been all ſtrongly marked with the ſame* "*character—they have been generally very ſententious, and* "*the ſame obſervation may be applied to them all, they* "*have declared THAT to be LEGAL which the miniſter* "*for the time being has deemed to be EXPEDIENT.*" Will you admit *this to be fair argument?*

2d Cit. It ſeems it carries ſome weight with it; I cannot with propriety diſpute the authority, on which it is is founded; make therefore the moſt of my conceſſion; ſhould I admit your reaſoning on this head to be juſt, does it follow, that the Court and Country intereſts are incompatible; that Government and Liberty are irreconcilable? Is every man, who thinks differently from you on publick meaſures, influenced or corrupted?

1ſt Cit. "*God forbid it ſhould be the caſe of every indi-* "*vidual.*" I have already hinted at the cauſe of your attachment to Government; it proceeds, I fear, more from perſonal conſiderations, than from a perſuaſion of the rectitude of our Court meaſures; but I would not have you confound Government, with the Officers of Government; they are things really diſtinct, and yet in your idea they ſeem to be one and the ſame.

Government was inſtituted for the general good, but Officers intruſted with its powers, have moſt commonly perverted them to the ſelfiſh views of avarice and ambition; hence the Country and Court intereſts, which ought to be the ſame, have been too often oppoſite, as muſt be acknowledged and lamented by every true friend to Liberty. You aſk me, are Government and Liberty incompatible? Your queſtion ariſes from an abuſe of words, and confuſion of ideas; I anſwer, that ſo far from being incompatible, I think they cannot ſubſiſt independent of each other. A few great and good princes have found the means of reconciling them even in deſpotic ſtates; Tacitus ſays of Nerva, "*Res* "*olim diſſociabiles miſcuit, principatum, ac libertatem*" [e]. a wicked miniſter has endeavoured, and is now endeavouring in this *free government*, to ſet the power of the ſupreme magiſtrate above the laws; in our mother country ſuch miniſters have been puniſhed for the attempt with infamy, death, or exile. I am ſurpriſed, that he who imitates *their* example, ſhould not dread *their* fate.

2d Cit. This is not coming to the point, you talk at random of dangers threatening liberty, and of infringements of the conſtitution, which exiſt only in your imagination. Prove, I ſay, *our miniſters* to have adviſed unconſtitutional meaſures, and I am ready to abandon them and their cauſe; but upon your *ipſe dixit*, I ſhall not admit thoſe meaſures to be unconſtitutional, which you are pleaſed to call ſo, nor can I allow all thoſe to be Court hirelings, whom you think proper to ſtigmatiſe with that opprobrious appellation, and for no other reaſon, but that they dare exerciſe their *own judgment in oppoſition to yours.*——(Read the 2d Citizen's harangue from the laſt words *(oppoſition to yours)* to the following inclusive, *ſweat of his brow.*)

1ſt Cit. What a flow of words! how pregnant with thought and deep reaſoning! if you expect an anſwer to all the points on which you have ſpoken, you muſt excuſe my prolixity, and impute it to the variety of matter laid before me; I ſhall endeavour to be conciſe, and if poſſible, a void obſcurity—you ſay—*I know not what or whom I mean by we, and the friends of the conſtitution*—I will tell you, Sir, whom I do mean, from whence you may gueſs at thoſe, whom I do.—By friends of the conſtitution, I mean not thoſe whoſe ſelfiſh attachment to their intereſt has deprived the publick of a moſt beneficial Law, from the want of which by your own account, "*Our people to follow* "*into diſgrace in foreign markets and every man's proper-* "*ty in a degree decreaſing and mouldering away.*" I mean not *thoſe ſame*, out of tenderneſs and regard to whom, the general welfare of this province has been ſacrificed; to preſerve *whoſe* ſalaries from diminution, the fortunes of all their countrymen have been ſuffered to be impaired; I mean not *thoſe*, who adviſed a meaſure, which coſt the firſt Charles his crown and life, and who have dared to defend it upon principles more unjuſtifiable and injurious than thoſe, under which it was at firſt pretentedly palliated. You ſee Sir I adopt the maxim of the Britiſh conſtitution—*The King can do no wrong*, I impute all the blame to his miniſters, who if found guilty and *dragged to light*, I hope will be made to feel the reſentment of a free people. But it ſeems from your ſuggeſtion that we are to place an unlimited truſt in the men, whom I have pretty plainly pointed out, becauſe they are men of great wealth and have "*as deep a ſtake in the ſafety of the conſtitution* "*as any of us.*" Property even in *private* life, is not always a ſecurity againſt diſhoneſty, in *publick*, it is much leſs ſo. The miniſters, who have made the boldeſt attacks on liberty, have been moſt of them men of affluence; from whence I infer, that riches ſo far from inſuring a miniſter's honeſty, ought rather to make us more watchful of his conduct.

You go on with this argument, and urge me thus—"*Do I conceive that ſuch men can poſſibly be hired un-* "*leſs they be overtaken by infatuation, to engage to pull* "*down a fair and ſtately edifice, with the ruins of which,* "*as ſoon as it is levelled to the ground, they and their fa-* "*milies are to be ſtoned to death.*" I have read of numberleſs inſtances of ſuch infatuation; there are now *living examples* of it; the hiſtory of mankind is full of them; men in the gratification of ſenſual appetites, are apt to overlook their future conſequences; thus for the preſent enjoyment of wealth and power—liberty in reverſion will be eaſily given up; beſides, a perpetuity in office may be aimed at; hopes may be entertained that the *good thing*, like a precious jewel will be handed down from *father* to *ſon*. I have known men of ſuch meanneſs, and of ſuch inſolence, (qualities often met with in the ſame perſon) who excluſive of the above motives, would wiſh to be the firſt ſlave of a ſultan, to lord it over all the reſt; power Sir, power is apt to pervert the beſt of natures; with too much of it, I would not truſt the milkieſt man on earth; and ſhall we place confidence in a *miniſter* too long inured to rule, grown old, callous, and hackneyed in the crooked paths of policy?

2d Cit. "*I do not chuſe to anſwer this laſt queſtion*——" you grow warm and preſs me too cloſe. But why is all your indignation poured out againſt our miniſters, and no part of it reſerved for the lawyers—thoſe cut-throats, extortioners—thoſe enemies to peace and honeſty, thoſe *reipublicæ portenta, ac pœnè funera* [f] to uſe the energic words of Tully, becauſe I can find none in engliſh to convey my full meaning, but by comparing *our harpies* to thoſe two monſters of iniquity—Piſo, and Gabinius.

1ſt Cit. From this vehemence of yours, I perceive you are one of thoſe, who have joined in the late cry againſt lawyers; from what cauſe does all this rancour and animoſity againſt thoſe gentlemen proceed? is it a real tenderneſs for the people, which has occaſioned ſuch ſcurrility and abuſe? or does your hatred, and that of your kidney, ariſe from diſappointment and the unexpected alliance between the lawyers and the people, in oppoſition to officers.—This alliance, I know, has been termed unnatural, becauſe it was thought contrary to the lawyer's intereſts, to ſeparate themſelves from the officers; ſince a cloſe and firm union between the two, would probably ſecure ſucceſs againſt all patriotic attempts to relieve the people from their late heavy burthens, of which too great a part ſtill ſubſiſts.

2d Cit. "*For heaven's ſake to what purpoſe is all this* "*idle talk? you well know it does not touch us, we are* "*not galled and therefore need not wince.*" But reconcile, if you can the inconſiſtency of conduct, with which ſome of your favourites may be juſtly reproached; I have one or two in my eye (*great patriots*) whoſe conduct, I am ſure, will not bear a ſtrict ſcrutiny; "*I* "*can tell them with truth*——(Vide dialogue from the laſt words, to theſe)—"*glorious and patriotic particu-* "*lars!*"

[e] (*Thus tranſlated by Gordon.*) *Nerva blended together two things, once found irreconcileable—Publick Liberty and ſovereign Power.*

[f] *Mr. Melmoth, the elegant tranſlator of Cicero's familiar letters, makes this remark in his notes on the 8th letter of the firſt book, Vol. I*——"*Cicero has delineated the cha-* "*racters at large of theſe conſuls (Piſo and Gabinius) in* "*ſeveral of his orations, but he has in two words given* "*the moſt adroit picture of them that exaſperated eloquence* "*perhaps ever drew, where he calls them "duo reip.* "*publicæ portenta ac pœnè funera*"——*an expreſſion* "*for which modern language can furniſh no equivalent.*"

Cit. Is it a crime then to be seen in the company of certain great officers of government?—surely *their* principles muſt be peſtilential indeed, whoſe *very breath* breeds contagion. But you can name, "*the* "*very appointments, they have laid their fingers upon,* "*you are well appriſed of their eager impatience to get* "*into office*;" if you are well aſſured of all this, if you can name the appointments, why in Gods name, do it; ſpeak out, at once undeceive me; ſhew me that I have miſtaken my men, that I have been impoſed on; for never will I deem that man a ſtaſt and firm friend to his country, or fit to repreſent it, who under their circumſtances applies for, or accepts an office from government; the application for, or the acceptance of a place by the perſons alluded to, would in my opinion, as much diſqualify them for ſo important a truſt, as the duplicity of character, which you lay to their charge.

2d Cit. Do not miſtake my meaning, or wilfully miſrepreſent it, I do not pretend to inſinuate, that a [illegible] accepting a place thereby becomes unfit for a repreſentative, but that no dependance can be placed in one, who declaims with virulence againſt *officers*,—and yet would readily take an *office*.

1ſt Cit. So I underſtood you, have I put a different conſtruction on your meaning?

2d Cit. Not expreſsly; but you ſeem to think the acceptance of a place, is exceptionable, as duplicity of conduct; I am not quite of that opinion.

1ſt Cit. There we differ then; I eſteem a double dealer, and an officer equally unfit to be choſen a member of Aſſembly, for this opinion I have the ſanction of an Act of Parliament, which vacates the ſeat of a member in the houſe of Commons on his obtaining a poſt from Government, preſuming, that men under the bias of ſelf-intereſt, and under perſonal obligations to Government, cannot act with a freedom and independancy becoming a repreſentative of the people. The Act, it is true, leaves the electors at liberty to return the ſame member to parliament, in which particular (be it ſpoken with due deference) it is more worthy our cenſure, than imitation; I have a wide field before me, but I perceive your patience begins to be exhauſted, and your temper to be ruffled. I have told ſome diſagreeable truths with a frankneſs, which may be thought by a perſon *of your ſteadineſs and importance* ſomewhat diſreſpectful; I leave you to ponder in ſilence, and at leiſure on what I have ſaid ——Farewell.

To SAMUEL CHASE, *and* WILLIAM PACA, Eſqrs.

GENTLEMEN,

YOUR complaints of my *ſeverity*, are certainly affecting; it is to be lamented only, that, as urged againſt me, they are totally groundleſs. It is obvious, on the ſlighteſt attention, that my queries were intended only as *charges* againſt your conduct, *reſpecting the Act for the eſtabliſhment of religion*, as they had been collected from converſations with numbers of people. I tell you ſo in expreſs terms. What authority then have you for ſaying, that, *abſent* and *unheard*, I have *adjudged* and *pronounced you guilty*, &c? Is there no difference between *charging* and *condemning*? What can you mean by being pronounced guilty, *abſent* and *unheard*? Were you not upon the ſpot, where the charge was exhibited? How then *abſent*? Has not your defence been as publick, as the charge exhibited againſt you? How then *unheard*? But, though in general, you charge me with having precipitately *paſſed judgment* upon you, yet, in another place, I obſerve, you have, yourſelves, hit upon the true diſtinction. "When a miniſter of the goſpel, ſay you, "*arraigns* the conduct of any man in publick, the "*charge* ſhould be exhibited with all the temper and "moderation of an *accuſing angel*." I have ſeen no precedents of *charges* urged by *accuſing angels*; and, therefore, am not maſter of the forms in that caſe made and provided: but, I have ſeen the forms of charges urged by *earthly judicatures*, and their ſtile does not ſeem remarkable for the *temper and moderation*, you affect to be ſo fond of. The poor culprit is *charged* with "not having the fear of God before his eyes, but "that, being moved and ſeduced by the inſtigation of "the Devil, he has, &c. &c." This is the *angelic* language of that Law, whoſe humanity, you have found out, will ſpare a man's "naked corps, and "protect it from *the thorns of a jail*."

Mark, however, your own *temper and moderation*, and how cautious you are of *pronouncing and adjudging* others *guilty*, *before you have heard their defence*. Witneſs your *charitable* charge againſt the Clergy; witneſs your charge againſt me, for having *damned your profeſſion*. I forgive this laſt ſtroke; it was a fineſſe to draw in, if poſſible, other gentlemen of the Law, as parties in this diſpute, and excite their odium againſt me. But, I diſavow the charge, and declare, that I had no others in my eye, than *the Lawyers*, to whom my letter is addreſſed. I acknowledge, with pleaſure, that the profeſſion is liberal and honourable, though like all others, it has the misfortune to be diſgraced now and then, by men, who *may chicane and temporize*.

With how good a grace, you, who are bent on unhinging the eſtabliſhment of the pureſt church upon earth, can recommend to others the *Goſpel precepts* and *Chriſtianity* or as you elſewhere expreſs yourſelves, not leſs accurately, *Religion and Chriſtianity* (both of them pleonaſtic and pretty!) let the world judge; to the world too I refer it, how well ſuch reformers as you, are entitled to the tender treatment of an order of men, whoſe rights you are endeavouring to trample under foot, whoſe miniſtry you would render ineffectual and uſeleſs, by alienating the affections of the good people of this province from both their perſons and their functions. Is it not thatneleſs cant, in ſuch men, to talk of *Goſpel precepts, and Chriſtianity*!

No leſs candid and *charitable* are your charges againſt me, concerning epiſcopacy; a ſubject which, it muſt be owned, has as much connexion with the controverſy between you and me, as it has with the election of a Lord Mayor of London, or the war between the Turks and Ruſſians. But, it was ſufficient, that, owing to the miſrepreſentations of ſuch ill-diſpoſed and ill-informed writers as you are, the meaſure was ſuppoſed to be unpopular; and as I am known, and am contented to be known, to be a warm advocate for it, you imagined, you had but, *charitably*, to call it a *ſcheme of perdition*, effectually to turn the tide of the publick favour againſt me. However, as I am not more willing to *aſk*, than I am to *anſwer* queſtions, I here pledge myſelf to the publick, and to you, in due time, to give you a *full*, and, I hope, a ſatisfactory anſwer to all your queries, reſpecting this crime of petitioning for a Biſhop—ſo enormous, one would ſuppoſe, from your account of it, as though I had been concerned in a plot to bring in the Pope and the Pretender. And I deſire to be underſtood to poſtpone it now, merely to avoid the confuſion ariſing from the blending together two ſubjects ſo totally diſſimilar.—Let me yet obſerve, that ſhould your opinion on the ſubject of *Common Law* happen to be right, I am not the only one that ſees, it will do more towards the introduction of an epiſcopate—do more for the Clergy, in other reſpects alſo, than all the united efforts of all the American prieſthood have yet been able to accompliſh.

Paſſing over, *for the preſent*, matters of inferior moment; I haſten to the conſideration of the ſingle queſtion which is of importance in this controverſy; *By what authority do you act as Veſtrymen?* Your reply, as I underſtood it, is, in ſhort, that you derive your authority not from any *written Law* of the province, but *from antient uſage and cuſtom of the pariſh, beyond the memory of man*. This being nothing but a meer aſſertion, I take the liberty to deny it, and to call for your proof. For, when a party avails himſelf of a cuſtom, it is, I believe, laid down as a rule, that the proof of the cuſtom is incumbent on him. Here then I might reſt the cauſe, and, if you will, *with a triumphant air*, ſtart the queſtion anew, *By what authority do you act as Veſtrymen?* But, for the ſatisfaction of the few readers, who may have been miſled by the confidence with which you urge this plea, I will mention ſome other difficulties, that ſeem to me to ſtand in your way. *I am clearly of opinion*, that there were neither pariſhes nor veſtries in Maryland, before the Act of 1692: an Act eſtabliſhing them could not reaſonably have been expected ſooner, as, before that period, the powers of Government were exerciſed by a profeſſed Papiſt. The following extract from the Council-Book, where you will ſee, the Act of 1692 directs it ſhall be *kept on record*, ſhews as well the utmoſt *antiquity* of the pariſh of St. Anne's, as the remote *origin* of its Veſtries.

"Council-Book, 1694 to 1698, folio 46.

"An account of the ſeveral pariſhes within this "province, as they were laid out, &c.

"Anne-Arundel County is divided into four pa-"riſhes, viz. Herring-Creek, South-River, *Middle-*"*Neck*, and Broad Neck.

"*Middle-Neck* pariſh is ſituated between South-Ri-"ver, and Severn River.

"Veſtrymen choſen are ——— and ———"——— and ——— and ——— and ———.

"Taxables 374."

The above deſcription ſufficiently proves the pariſh of Middle-Neck to have been that now called St. Annes, were it not alſo evinced by the Veſtry-Book. Here then we can *go back and lay our hands on the ſtatute* that firſt gave riſe to the cuſtom: no other origin appears; and, I believe, the maxim in Law is, "*quod* "*non apparet, non eſt*." Where the origin of a cuſtom can be traced, it deſtroys it: you cannot claim under an uſage, where you can prove the authority from which it is derived: were it otherwiſe, there would be no other Laws, than thoſe dependent on cuſtom. For inſtance, where an authority is given by grant, ſtatute &c. there will be an exerciſe of ſuch authority; and, after length of time, the *uſage* only, on theſe principles will avail; and ſo the uſage under ſtatutes, and not the ſtatutes themſelves, will preſcribe the rule of conduct. This, ſurely, is *a perfect novelty in the Law*. On principles very different, are cuſtoms ſupported. The conſtant uſage is preſumptive evidence of a preceding right conferred; and though the inſtrument of creation cannot be produced, yet 'tis inferred, there could have been no ſuch uſage without a legal and proper commencement.—Preſumption ſtands, till the contrary is proved: therefore, if the commencement of a cuſtom can be proved to be illegal, the preſumption from uſage is deſtroyed by contrary proof. This, I take it, is the reaſoning adopted in Mr. Paca's opinion: vide the argument about ſtatutes. The Act of 1701-2 is conſidered as the ground of the Clergy's claim, and, though denied the force of a law, is urged as an evidence of the creation of this claim: and the Act being ſuppoſed to be void, 'tis therefore ſaid, the claim is alſo void. Let the ſame reaſoning be applied to the caſe before us. The ſame act ſhews the commencement of preſent Veſtries; and, if void, *pari ratione*, Veſtries have no authority to act. The origin of the ſuppoſed cuſtom being proved to be illegal, as it muſt, if the Act, from whence it is derived, is illegal, it muſt be liable to the ſame objections that you have urged againſt the Clergy's claim. Denying the validity of the Law, you yet admit it as a piece of evidence to prove the original claim: ſo here, if conſidered only in the ſame light, it muſt be productive of like effects, as your argument from cuſtom. I mean, if preſent Veſtrymen, whoſe origin may be traced back to the very ſame ſource, as the Clergy's claim, even to a *Lex ſcripta*, an expreſs Act of Aſſembly, have a right to act, from *cuſtom*, as you aſſert; this ſame doctrine of cuſtom will apply, with equal force, to the claim of the Clergy. Or, does your cuſtom regard only pariſhes and Veſtrymen, excluſively of the other conſtituent parts of a religious *eſtabliſhment*? If it does, it is, to you, a very convenient and obliging cuſtom. For me, I confeſs, I can have no idea of a *church, pariſh*, and *Veſtrymen*, without a regular *eſtabliſhed* miniſtry; nor an *eſtabliſhed* miniſtry, without ſupport, or revenue. The mother-country, I am ſure, affords no ſuch precedent in her conſtitution; nor do I find any thing in the practice of this province to countenance a doctrine ſo pregnant with abſurd conſequences. You ſay, *the Lawyers* were friends to the *eſtabliſhed* church: it may be ſo; Brutus *profeſſed* to be Cæſar's friend—and ſtabbed him. But, what *eſtabliſhed* church is it, that boaſts the honour of your friendſhip? The church in Maryland, if *eſtabliſhed* at all, was *eſtabliſhed* by the Act of 1701-2, which Act, you ſay, was originally null and void. Tell us then, when and how the church, you are friends to, was *eſtabliſhed*.

The efforts you have made to extricate yourſelves out of one difficulty, have but plunged you deeper in another. You now ſee yourſelves under the dilemma, either to acknowledge, that the Clergy of Maryland are entitled to the forty per poll, by *taſtum, time out of mind*, and ſo make a ſacrifice of all your darling politics at a ſtroke; or, to ſubmit to the imputations ſuggeſted in my firſt queries to you. Surely, it would have been better for you to have owned *a trip in your politics*; and, for once, have been guilty of the weakneſs of having acted the part of candid and honeſt men.

You ground your authority, as to the right of taxation, on the Acts of 1704 and 1729. Both theſe Acts have a plain reference to the Act of 1701-2—the former, expreſsly. They ſpeak of *Veſtries* and *Pariſhes*; the legiſlature knew of no Veſtries or Pariſhes, but under the Act of 1701-2. Hence, I infer, that the right of taxation given to Veſtrymen by theſe Acts, was given to Veſtrymen under the Act of 1701-2; the framers of them could have no others in contemplation. If this was not the caſe, By what authority did the Veſtries in 1704 act? Will you ſay of them too, that it was by the authority of the pariſhioners &c. *according to antient uſage* and cuſtom, *beyond the memory of man*? an *antient* uſage, of *two years*!

Extract from the Veſtry Book of St. Anne's.

April the 1ſt, 1771——(ominous, at the threſhold!)

"At a meeting, &c.

"Whereupon the Rev. Mr. Jonathan Boucher qua-"lified Mr. William Paca, Mr. Woodward, ſen. and "Mr. John Bullen, as Veſtrymen of this pariſh, by "their taking the ſeveral oaths *required by Law*, re-"peating and ſigning the teſt, and oath of office, re-"*quired by Act of Aſſembly*."

There is an entry to the ſame purpoſe, reſpecting Mr. Chaſe, on the 11th of June, 1770: and, indeed, the ſame form has been uſed, on the election of new Veſtrymen, ever ſince there have been veſtries. It cannot, however, I truſt, be deemed impertinent in me, juſt to aſk, what *Act of Aſſembly* it was, that *required* your taking theſe oaths, before you could be *deemed and taken* as Veſtrymen? And, as one of you qualified me, in the like manner, when I had the honour to become your principal, I would aſk alſo, by what authority I was made a Veſtryman, and acted as ſuch in concert with you, as it is certain that neither your preſent principal Veſtryman, nor I, were *nominated, choſen and elected by the Pariſhioners*? And, finally, I would aſk, by what authority you have always paid your Regiſter? Was it not under the authority of the Act of 1730, an Act expreſly *ſupplementary* to the unfortunate one of 1701-2?

It is granted that, with reſpect to the authority given to Juſtices by the Act of 1729, *they exerciſed as judgment upon the matter*. They *judged*, however, that you were Veſtrymen: and I leave it to them to ſay, whether they did not think you ſo, by *Act of Aſſembly*. Plain men, untainted by politics, do not readily enter into theſe new-fangled refinements: and I am perſuaded, they will not think themſelves injured, by my declaring it to be my belief, that they never, till now, heard or dreamed of Veſtrymen by *Common Law*. It is certain, the magiſtrates of Talbot did not: for, believing, as every body elſe does (*the Lawyers* excepted) the authority of veſtries to be derived from the Act of 1701-2; and, doubting of its validity, *they exerciſed ſo much judgment on the matter*, as to refuſe to aſſeſs the tobacco petitioned for, by the veſtries of two pariſhes in that county. And, I am told, that, the next provincial court, a mandamus will be applied for, to compel the ſaid magiſtrates to a performance of their office.

There are other points of view, in which I might expoſe the weakneſs of your defence: but, I forbear. Of my attainments in Law, even you, Gentlemen, do not think more lowly than I do; I hope it is no reproach to me, that I am not a Lawyer. I do not, however, think, that I have much reaſon to be diſſatisfied with the part I have taken in the queſtion of Law which I have preſumed to controvert with you: and it is ſingular enough to ſee you triumphantly proclaiming the ſcantineſs of my ſtock of legal knowledge, on no better authority, than my having propoſed queries to you, which you have not anſwered. However, the extreme contempt you expreſſed for my judgment, the confidence with which you publiſh your own, I own, made me diffident: I knew not into what labyrinths of legal quibbles you might lead me, loſing ſight of common ſenſe, my only guide. I therefore reſolved to know certainly how the Law ſtood in this caſe, and, for this purpoſe, took the opinion of a gentleman in the Law, whoſe abilities you will hardly deny. This opinion I will publiſh, as ſoon as there can be room for it in the paper. Sneers and quibbles are all I dare to hope from you in reply; but, for your own ſakes, I truſt, you will not ſo read the opinion of a profeſſed Lawyer.

I aſk pardon for what I ſaid concerning the *Vote* on the Proclamation; nor ſhall I quarrel with you for calling a miſtake in point of fact, *a lie*. You ſeem to have arrogated as arbitrary a dominion over *Words* as you have over *Laws*. I was ſeduced into the opinion, by a common clamour raiſed againſt a particular gentleman in a neighbouring county, for having given ſuch a vote. Never conſidering, that all the arts of *political lying* are moſt laudably exerted to miſlead the people, *for their own good*, when the important buſine[illegible]

of elect ons ering is on the carpet; in the ſimplicity of my heart, I ſwallowed the tale.—Whether the Proclamation be, or be not, a *legal* act, it becomes not me to lay; nor was it ever my aim to enter into a controverſy about it. But I do aver, that it cannot be more *illegal*, than, on your own principles, your tax on the pariſhioners of St. Anne's.

In one of the queries, it is ſaid, "Can you hereſ- "ter preſume to place yourſelves in a higher rank of "patriotiſm, than *thoſe*, &c.?" To this you ſmartly anſwer, "Laudable charity! but, we queſtion, whe- "ther the ſupreme Magiſtrate will accept of the noſe- "gay." Now, until you can ſhew, that the *plural* relative, *thoſe*, refers to the *ſingular*, *ſupreme Magiſtrate*, and not to *Members*, as the context and every rule of conſtruction demand, ſome, perhaps, may think, that men ſo utterly unacquainted with the firſt principles of grammar, are but indifferently qualified to monopolize the privilege of *ſwearing* and *capering* on all legal, political, and conſtitutional queſtions. I join with you in queſtioning, *whether the ſupreme Magiſtrate will accept the noſegay*. Without any compliment to him, I may ſay, he knows better: he can read Engliſh, and can ſee, that it was not offered to him. On this ſubject of *noſegays*, on which you are ſo ſuperabundantly ſmart, all I deſire is, that any impartial man ſhould caſt his eye over your queries and mine, to determine which is the more plentifully *bedecked* with them; and, I appeal to the hiſtory of our lives, our characters, and our ſtations, to ſhew, whether you, or I, are more likely to pay court to *the power of tranſlation*.

To the oft-repeated *charge* of being *a Prieſt*, what elſe can I ſay, but that I plead guilty? And, would to God my Order had no more cauſe to be aſhamed of me, than I have to be aſhamed of it! That I am a very *uncharitable* one, I would fain flatter myſelf is not ſo true; inaſmuch as I am, *charitably*, diſpoſed to hope, that you are better men, than, with all my charity, I can think you are either writers, or politicians. What a compliment have you, unwittingly, I dare ſay, paid to my character, when the worſt thing you can find to ſay of me, is, that I am a *Prieſt*, and, as ſuch, joined in petitioning for a Biſhop! But, have you not, think you, *opened* a little too often on this topic? I confeſs, it does not ſtrike me, that there is much either of wit or argument in it. Nor do I, indeed, believe, that you are, at bottom, ſuch very bitter enemies to Prieſts; or, at leaſt, not to their office; as, I obſerve, you can, you ſelves, both preach and pray, when it ſuits you. If, however, the ſpecimen you have given me of your abilities in this way, be of your beſt, I am not ſo much your enemy, as to adviſe you to quit your own profeſſion for mine—at leaſt, not on your own *quantum meruit* plan. There are not, I believe, many Prieſts, who would have ſpoken of *the Chriſtian religion*, and *the Goſpel of Chriſt*, as of two different things; both of which you pray, may *flouriſh*, &c. "without the interpoſition of thoſe infernal juriſ- "dictions, ſpiritual cruelty, vengeance and inhuma- "nity." May I have leave to aſk, if either *the Chriſtian religion*, or *the Goſpel of Chriſt* can *flouriſh* with *thoſe infernal juriſdictions*, &c.? May I aſk too, why, when you were praying for the *triumphant* aſcendency of the *Common Laws*, you overlooked the Laws of our own Legiſlature? Why this ſpite to them? They are not all of them Acts for the maintainance of an eſtabliſhed Miniſtry. And, had you no fears, that, poſſibly, you might raiſe apprehenſions in ſome ſuch *uncharitable* people as I am, of your having a deſign to reduce our whole Body of Laws, as you have the Act of 1701-2, to *Common Laws, Common Right, Cuſtom, and Uſage time out of mind*? I am unwilling to dictate to any body, or even to obtrude my advice, when it is not aſked; but as you are only in your noviciate, and it is my *profeſſed element*, I hope to be pardoned, if when, happily, another pious fit overtakes you, I take the liberty of recommending a text for the ſubject of your meditations; "Fear the Lord, honour the Prieſt, and give him his "portion, as it is commanded you."

Prieſtly pride being a no leſs common ſarcaſm againſt our Order, than *prieſtly implacability*, I cannot be ſo ſelfiſh as not to acknowledge, that your letter affords inſtances of this goodly ſpirit, enough to ſhame the proudeſt of us all. The important monoſyllable, WE, *triumphantly* (another of your favourite words) ſtares us in the face in almoſt every ſentence; but never more *triumphantly*, than where you ſay, WE and *the People*: an expreſſion not to be matched, for its humility, by any thing but the celebrated egotiſm of Wolſey, *I, and my King*. Even, the emphatical appropriation of the words, *the Lawyers*, to yourſelves, as though all others were but pettifoggers and ſcriveners, is feeble in compariſon with it.

For any jibes or jeers thrown out againſt myſelf, I heed them not; my character they cannot hurt; yours they certainly will. But, I muſt be loſt to every honeſt, every generous feeling, not to reſent your ſlanderous calumny againſt my brethren. "The Clergy, "in general of the Church of England have blown up "a ſtorm of oppreſſion." Gracious Heaven! This too from Meſſ. Chaſe and Paca!

"Quis tu'erit *Gracchus* de *ſeditione* querentes?"

The *temper* and *moderation* of the Clergy in vindicating their rights, have been as remarkable, as the arts you have made uſe of to inflame and miſlead the people, have been unmanly and unfair. If, in any thing, they have been to blame, in my judgment, it has been in tamely ſubmitting to the inſults which you, and ſuch as you, have of late ſo often offered to them. I do aver, moreover, on my own knowledge, that, maugre all your harangues and your publications, the Clergy have *the ſweet concordance of the voice* of the men heretofore deemed the moſt ſenſible and moderate in the country, as well as of the gentlemen of the Bar, the moſt eminent for their abilities and candor, *with reſpect to their claims*. And, when the preſent political frenzies are over, as every good man muſt pray they ſoon may be, your opinions and your projects will appear, as they are, the miſhapen offspring of political perplexity and diſtreſs—the creatures of a day. But, to return: general aſſertions need be refuted only by general negations. I do therefore aſſert, that what you have alleged againſt the Clergy in general, is not true; and, I defy you to mention one Clergyman in the province, who, as a Clergyman, has, in the leaſt inſtance, blown up any *ſtorm of oppreſſion*, or been guilty of any *illegal, arbitrary*, or *oppreſſive meaſures*. Dare you ſay thus much of *the Lawyers*?

You needed not ſo vauntingly to have reminded me, that your opinion is *unanſwered*. I know that it has not been publickly anſwered, as well as I know, that it has been ſufficiently refuted and expoſed. There is, however, one way for you to obtain an anſwer; and which, having now ſo fair an occaſion, I take the liberty moſt earneſtly to recommend to you. Suits are commenced againſt ſome Sheriffs—againſt Mr. Clapham, in particular. He is willing, and the Clergy are willing, that theſe ſuits ſhould come to immediate trial: whether they ſhall, or not, it ſeems, reſts entirely with you. If, then, you really be the patriots you wiſh to be thought, approve yourſelves ſuch, by concurring in the neceſſary meaſures to obtain a ſpeedy, and a *deciſive* determination of this unhappy diſpute. It will ſave *this once happy country* a world of miſchief and confuſion; and every friend to order and good government will thank you.——But why, Mr. Paca, do you boaſt that your opinion is unanſwered; when, not long ſince, you acknowledged, that were you upon oath to give judgment upon the caſe, you ſhould be at a loſs, how to pronounce. Satisfied as you were, that the Clergy had no legal claim to the 40 per poll, from the Act of 1702, conſidered in itſelf; yet the aiding Acts of Aſſembly, you alleged, might be ſtrongly argued in ſupport of the claim.—An opinion, whoſe author is ſo much at variance with it already, is of little conſequence.

Doubtleſs my brethren of the Clergy will join with me in thanking *the Lawyers* for their *charitable* policy in *keeping back their ſentiments* upon the forty per poll Act. Pray, Gentlemen, do you call the giving written opinions, or the printing of ſuch opinions both in proſe and verſe, *keeping back your ſentiments*? But, you are happy in the knack of reconciling contradictions; and I doubt not your ability to reconcile this, as well as the ſtrange contrariety of the *ſentiments ſo kept back*.

You wrong yourſelves, as well as me, in ſuppoſing, that reſentment ſtimulated me to propoſe the Queries to you. I will give you the hiſtory of the occaſion, as plainly, as it ſhall be truly. The Veſtry of my pariſh met in November, as yours did, to lay the pariſh levy: one of our number refuſed to act, alleging his incapacity, from the nullity of the Act of 1702-2. This, as may well be ſuppoſed, occaſioned ſome little ſtir amongſt us. Every body knew, that you took the lead amongſt thoſe who denied this Act to be in force; I knew you to be Veſtrymen: Was it not then natural for me to enquire what had been your conduct on this occaſion?

And now, Gentlemen, having gone through all that I conceive to be of importance in your letter, far more tediouſly, indeed, than I could have wiſhed, for which, however, the variety and abundance of matter, you are pleaſed to cut out for me, muſt plead my excuſe, I haſten to releaſe you.——Heretofore, as the *Echo* only of what others had ſaid, I but *charged* you with certain offences, *charitably* hoping, that you might have been able to have juſtified yourſelves. Having failed in this, you muſt excuſe me, if now I aſſume a more deciſive tone; if, after a full and fair hearing of your defence, I ſtep into *the ſeat of judgment*, and, on the cleareſt proof, *pronounce* you *guilty* (on your own principles, and on thoſe only) "of an high infringement "of this great conſtitutional right, of all others, per- "haps, the moſt ineſtimable, the taxing the people "without their conſent;" *illegally, arbitrarily*, and *oppreſſively*.

And acquit yourſelves as you can.

I am, Gentlemen, your humble Servant,

JONATHAN BOUCHER.

A CARD.

THE EDITOR OF THE DIALOGUE does himſelf the honour to wiſh the INDEPENDENT FREEMAN a *happy New-Year*; and hopes to be believed, on his religious aſſurance, that he is ſo far from harbouring a malignant intention of filling up the meaſure of contempt, into which he has fallen, as a publick man and a writer, by paſſing him over with ſilent diſregard, that he will, in due ſeaſon, beſtow ſome conſolatory remarks on his labours.—Both the impotence and raſhneſs of his *legal* ſneers at the whole body of Merchants ſhall be expatiated upon, with becoming moderation. It is requeſted, on the ſame principle of delicacy and candor, that the bloſſoming minion of the Freeman's hopes, and creature of his forming hand, will not be piqued at his being totally diſmiſſed from the ſcene. The Editor has neither leiſure nor inclination to reſume the rod for the correction of a child; and has learned, from authentic information, that it was, from the firſt, the ſcheme, that the ſame breath which raiſed the bubble ſhould diſſolve it, after it had lived to fulfil all its purpoſes of diverſion.

LONDON, *November* 3.

A CORRESPONDENT at Chatham aſſures us, that England never ſaw herſelf in poſſeſſion of ſo many fine line of battle ſhips in times of peace as at preſent, the number being little ſhort of 80; but ſays, he muſt add a few melancholy truths, that timber fit for building large ſhips was never known ſo ſcarce, worſe encouragements for good ſeamen, nor fewer of them in actual ſervice; and concludes by remarking, that he knows 78 Lieutenants, of tried abilities, now either maſters of trading veſſels, or in foreign employ, while a ſet of green pompous and powdered macaronies, who do not know the name of a rope, are enjoying part, and in full eſtate to the poſſeſſion of the whole of thoſe rewards, which are only due to long and meritorious ſervice.

LIVERPOOL, *November* 13.

Extract of a letter from Cheſter, November 10.

"On Thurſday night laſt, the 5th inſtant, the inhabitants of this city were thrown into the utmoſt conſternation by an inſtantaneous ſhock, ſuppoſed at firſt to have been occaſioned by the violence of an earthquake, as the houſes in every quarter of the town were ſhook to their foundations. Vaſt multitudes, overwhelmed with ſurpriſe, immediately rushed into the ſtreets and lanes, not knowing whither to fly for ſafety, fearful of conſequences which imagination depicted as big with every danger and diſtreſs. It was not long, however, before the real cauſe was known; and a ſcene of ſuch complicated miſery preſented itſelf that can hardly be exceeded by any inſtance recorded in hiſtory. The preceding day a quantity of gunpowder, upwards of eight hundred pounds weight, had been depoſited in a warehouſe in Water ſtreet, under a building, known by the name of Eaton's Room, in which one Williams, the maſter of a puppet ſhow, had for ſome time paſt exhibited his performance. The company which theſe idle amuſements had drawn together on the fatal evening was very great (may ſuch another evening never be known any where) and in the midſt of their merriment, the powder, by what accident is not known, took fire, and in a moment moſt of the unhappy people were buried under a prodigious heap of ruins; ſome were thrown into neighbouring courts, ſcorched and confuſed, and a few, but very few, had the good fortune to eſcape with no other hurt than a ſlight burn, or a ſmall ſcratch. The numbers that flocked from all parts to view the place, where deſtruction had ſo ſuddenly fallen upon the heads of many of their fellow citizens, ſtood amazed at the diſplay of ſo much horror; but the groans and ſhrieks of the yet alive miſerable ſufferers, ſoon awaked their humanity. Every hand then lent a willing aſſiſtance; vaſt heaps of ſtone and timber were immediately removed, and the bodies that had any remains of life in them, as faſt as they were raiſed from the ruins, were either carefully conveyed to their friends in the different parts of the city, or to that noble, that truly beneficial eſtabliſhment, the general Infirmary, where the Phyſicians and Surgeons, uninfluenced by any other motive than the publick good, have ſo largely contributed, by their knowledge and aſſiduity in their ſeveral departments, to promote the deſign of ſo excellent a charity, ſtood ready to afford every poſſible relief to the miſerable objects that were preſented to them. It is impoſſible to come at the knowledge of the exact number of thoſe who ſhared in this ſhocking calamity; the account on which we can moſt depend is, that the killed, and thoſe ſince dead, amount to 23; and thoſe that were much burnt, had contuſions, or broken limbs, to 80, moſt of which are likely to recover. Williams himſelf, his wife, and three or four of the ſame family, are of the number of the dead. Several promiſing youths are alike loſt to their parents and the community, but how many heads of families have fallen undiſtinguiſhed we muſt leave to the prying eye, and the relieving hand of charity to find out; and we doubt not but her benign influence once exerted, will quickly penetrate the moſt retired receſſes of the wretched, and wipe away the tears of the mourning widow, and the weeping orphan."

FROM THE MASSACHUSETTS SPY.

The following may be depended upon as a genuine extract of the letter from Lord Dartmouth *to the Governor of* Rhode-Iſland, *dated* Whitehall, Sept. 4, 1772.

THE particulars of that attrocious proceeding, (referring to the burning the Gaſpee ſchooner) have by the King's command been examined and conſidered with the greateſt attention; and although there are ſome circumſtances attending it, in regard to the robbery and plunder of the veſſel, which ſeparately conſidered, might bring it within the deſcription of an act of piracy; yet in the obvious view of the whole tranſaction, and taking all the circumſtances together, the offence is in the opinion of the law-ſervants of the crown, who have been conſulted upon that queſtion, of a much deeper dye, and is conſidered in no other light, than as an act of high treaſon, viz. levying war againſt the King.

And in order that you may have all proper advice and aſſiſtance in a matter of ſo great importance; his Majeſty has thought fit, with the advice of his privy council, to iſſue his royal commiſſion, under the great ſeal of Great-Britain, nominating yourſelf, and the chief juſtices of New-York, New-Jerſey, and the Maſſachuſett's-Bay, together with the judge of the Vice-Admiralty court eſtabliſhed at Boſton, to be his Majeſty's commiſſioners for enquiring into and making report to his Majeſty, of all the circumſtances relative to the attacking, plun-

desing, and burning the Gaspee schooner. The King trusts, that all persons in the colony will pay a due respect to his royal commission, and that the business of it will be carried on without molestation; at the same time the nature of this offence, and the great number of persons who appear to have been concerned in it, make every precaution necessary. His Majesty has therefore, for the further support in the execution of this duty, thought fit to direct me to signify his pleasure to Lieutenant General Gage, that he do hold himself in readiness to send troops to Rhode-Island, whenever he shall be called upon by the Commissioners for that purpose, in order to aid and assist the civil magistrate in the suppression of any riot or disturbances, and in the preservation of the publick peace. I have only to add upon that head, that his Majesty depends on the care and vigilance of the civil magistrates of the colony, to take the proper measures for the arresting and committing to custody, in order to their being brought to justice, such persons, as shall, upon proper information made before them, or before his Majesty's Commissioners, appear to have been concerned in the plundering and destroying the Gaspee schooner.

It is his Majesty's intention, in consequence of the advice of his privy council, that the persons concerned in the burning the Gaspee schooner, and in the other violences which attended that daring insult, should be brought to England to be tried; and I am therefore to signify to you his Majesty's pleasure, that such of the said offenders as may have been or shall be arrested and committed within the colony of Rhode-Island, be delivered to the care and custody of Rear Admiral Montagu, or the Commander in chief of his Majesty's ships in North-America for the time being, or to such officers as he shall appoint to receive them; taking care that you do give notice to the persons accused, in order that they may procure such witnesses on their behalf as they shall judge necessary; which witnesses, together with all such as may be proper to support the charge against them, will be received and sent hither with the prisoners.

ANNAPOLIS, FEBRUARY 4.

*** This Gazette, No. 1430, compleats the Year. The Printers therefore earnestly request all Persons indebted, to discharge their respective Balances, in order to enable them to carry on so expensive a Business.*

DR. GRAHAM, Oculist and Aurist from *Philadelphia*, thus publickly gives Notice, that he proposes to be at *Baltimore* about the 20th of this present Month; where those Persons whose Circumstances or Situation have precluded them from the Benefit of applying for Assistance at *Philadelphia*, may consult him in all Disorders of the Eye and its Appendages; and in every Species of Deafness, Hardness of Hearing, Ulcerations, Noise in the Ears, &c.

Baltimore, February 2, 1773.

THE Honourable Commissioners of his Majesty's Customs, having appointed me Land-waiter, Weigher and Gauger, and preventive Officer of his Majesty's Customs to reside at *Baltimore*: The Masters of Vessels are hereby requested to produce their Papers to me upon their Arrival, and that the Masters of Coasting Vessels within the Province coming to this Place, apply for the necessary Papers for the Cargoes they take on board, or they will render their Vessels and Cargoes liable to Forfeiture.

ROBERT MORETON.

Elk-Ridge, January 26, 1773.

ALL Persons indebted to the Estate of *William Leavens*, deceased, are desired to make immediate Payment, and all those who have any just Claims against said Estate, are desired to bring in their Accounts regularly proved, that they may be settled, by

2w SAMUEL DORSEY, junr. Administrator.

January 13, 1773.

ALL Persons who have any Demands against the Estate of *Richard Thomas*, late of *Cecil* County, deceased, are desired to send them properly attested; and those who are indebted to said Estate, are desired to pay off their respective Balances without further Notice, to

w6 SAMUEL THOMAS, } Administrators.
THOMAS HUGHES, }

THERE is at the Plantation of *James Smith*, Blacksmith, near *Upper-Marlborough*, a black Stray Mare, about Fourteen Hands and a Half high, shod all fours, Two hind Feet white, one white Saddle Spot on the off Side, hanging Mane and switch Tail, branded on the near Buttock M or B paces slow. The Owner may have her again, proving Property and paying Charges.

THERE is at the Plantation of *John Marrick*, in *Prince-George's* County, a Stray gray Mare, something under 14 Hands high, short Switch Tail and Hog Mane. The Owner may have her again on proving Property and paying Charges.

WHEREAS the Subscriber passed his Bond to *John England*, Sen. bearing Date *October* the 27th, 1771, for One Hundred Pounds *Pennsylvania* Currency, it being in Part of a Purchase of a Tract of Land; since which Time he hath discovered, that the said *England* shewed and sold the said Subscriber Lands which were not his own, nor can he make a good Title to them: These are therefore to caution and forewarn all Persons from taking an Assignment of the said Bond, as I am determined not to pay the same. w3

CHARLES ALEXANDER WARFIELD.

January 5, 1773.

COMMITTED to the Jail of *Charles* County the 2d Instant, as a Runaway, a Negro Man who calls himself ABRAHAM, and says he belongs to *Thomas Squires*, about Eight Miles from *Frederick-Town*; he is a likely Fellow, about 5 Feet 7 Inches high, has a Nick or Notch in his right Ear, which he says was occasioned by his hurting it in going through a Fence: Has on and with him an old Coat with Metal Buttons, an old Cotton Jacket, and a pretty good dyed Cotton ditto over it, old Check Linen Shirt, and a new Osnabrig ditto, a Pair of blue Yarn Stockings, old Shoes and an old Hat. The Owner of said Negro is desired to take him away and pay Charges to 3w

WILLIAM HANSON, Dep. Sheriff.

THERE is at the Plantation of *Elizabeth Dorsey*, at *Rocky-Neck*, near *Annapolis*, a Stray black Cow, between Four and Five Years of Age, has a bald Face, the left Ear cropt and the right under cut. The Owner may have her again on proving Property and paying Charges.

Patuxent Iron-Works, *January* 12, 1773.

RAN away last Night from the *Patuxent* Iron-Works, a Servant Man named *Robert Wharton*, born in *England*, by Trade a Blacksmith; he is a very lusty well made Fellow, 6 Feet high, about 30 Years of Age, much pitted with the Small-Pox, dark brown Hair and very thin on the Top of his Head: Had on and took with him a Hat bound round the Brim with Binding, Two Osnabrig and One Check Shirt, a dark coloured Cloth Coat and lappelled Jacket, a dark short Beatskin Coat, blue Halfthick Breeches, white Yarn Stockings and black Leather Shoes. Whoever takes up said Servant, on delivering him at said Works, if Ten Miles from Home shall have Twenty-five Shillings, if Twenty Miles Forty Shillings, and a greater Distance Three Pounds, and if out of the Province Five Pounds, including what the Law allows, paid by

SAMUEL & JOHN SNOWDEN.

The Partnership of James Dick *and* Stewart *having expired the 1st Inst. the business is now conducted under the Firm of*

JAMES DICK and STEWART, and Co.

Who have to sell by Wholesale and Retail, at their Stores in Annapolis *and* London-Town, *for ready Money, Country Produce, or the usual Credit,*

A GENERAL Assortment of *European* and *East-India* Goods, among which are, Hyson, Bloom, Green and Bohea Teas, London double and single refined Sugar.

They have likewise for Sale, old Madeira Wine by the Pipe, Hogshead, or Quarter Cask, West-India and Country Rum, by the Hogshead, Jamaica and Barbadoes Spirit, by the Hogshead or Quarter Cask; Muscovado Sugar, by the Hogshead, Tierce, Barrel, or Hundred; a few Tierces of Rice, a few Bags of Hops, barreled Pork, &c &c.

Also, Anchors, Grapnals; Sail Duck, and all Sorts of Ship Chandlery and Cordage, made at *Newington* Rope-walk; where Orders for a Ships Rigging of any Size may be complied with on a few Days Notice.

Annapolis, January 13, 1773.

The Partnership of *James Dick* and *Stewart* being expired, all Persons indebted to us, are requested to settle their Accounts as soon as it is Convenient; which will oblige

Their humble Servants,

tf JAMES DICK,
ANTHONY STEWART.

Elk-Ridge, January 9, 1773.

To be sold at publick Vendue, on Monday the First Day of March *next, at the late Dwelling-House of* Henry Dorsey, *junr. deceased, in* Queen Caroline's *Parish,* Anne-Arundel *County. The Sale to begin precisely at* 10 *o'Clock, and to continue for Two Days if not all sold in One,*

A VALUABLE Parcel of Negroes, Servants, Horses, Mares, Sheep, Hogs, &c. Plantation Utensils, and Houshold Furniture; Six Months Credit will be given for all Sums above Ten Pounds, with legal Interest, on giving good Security, and ready Money is to be paid for all Sums under Ten Pounds. Attendance will be given on the Premises, by

ts SAMUEL DORSEY, junr. Administrator.

N. B. All Persons who have any Demands against the Estate of the late *Henry Dorsey*, deceased, are desired to bring in their Accounts to the above Administrator, and those indebted to the said Estate, are requested to pay without further Trouble.

Elk-Ridge, December 29, 1772.

WHEREAS Mr. *Caleb Dorsey*, late of *Anne-Arundel* County, deceased, did by his last will and Testament, bearing Date the 14th Day of *March* last past, order and direct sundry Lands to be sold, *viz.* a Tract or Parcel of Land, called *Caleb's Delight Enlarged*; also a Tract, called *Timber-Ridge*, and Part of a Tract, called *The Mill Frog*, all adjoining and lying in *Frederick* County, near *Simpson's* Tavern, about Thirty Miles from *Elk-Ridge Landing*, and contains about Two Thousand Four Hundred Acres. The said Land is well adapted to farming, and will be sold on the 29th Day of *June* next, in small Parcels, or in any Manner that may best suit the Purchasers;—Also Two Thirds of about Seven Thousand Acres of Land, lying in *Anne-Arundel* County, on *Curtis's-Creek*, about Seven Miles from *Baltimore Town*, on which is a Furnace, a good Dwelling House, and sundry Out-Houses, with a good Grist-Mill, and Saw-Mill: The Land is well timbered and the Water navigable, within Fifty Yards of the Furnace Door, and will be exposed to sale on the 20th Day of *July* following. The Terms will be made known on the Days of Sale, by

MICHAEL PUE, Executor,
tf MILCAH DORSEY, } Executrixes.
ELEANOR DORSEY }

N. B. All Persons having just Claims against the Estate, are desired to bring them in legally proved, and those who are indebted to the Estate, are desired to make immediate Payment to Two or more of the Executors only.

To be sold by the Subscribers, at their Store on the Dock, Wholesale or Retail, on the most reasonable Terms, for Cash, Wheat, Indian Corn, or short Credit,

A LARGE and general Assortment of *European* and *East-India* Goods, suitable to the different Seasons, also choice *Jamaica* and *Barbados* Spirits, Rum, Wine, Melasses, loaf and brown Sugar, Tea, Coffee, Chocolate, Raisins, Currants, Spermaceti and Tallow Candles, Soap, Myrtle and Bees Wax, Glocester Cheese, Taunton bottled Ale, Tar, Turpentine; a few Barrels Mullet Fish, and exceeding fine New-Town Pippins, from New-York. Likewise a likely young Negro Boy and Girl, about 16 and 17 Years of Age.

8w THOMAS CHARLES WILLIAMS & Co.

Queen-Anne, November 17, 1772.

To be sold by Wholesale, at a very low Rate, for Cash, Bills of Exchange, or Tobacco,

ABOUT Seven or Eight Hundred Pounds prime Cost of Goods, well assorted.

tf THOMAS DUCKETT.

October 10, 1772.

TO BE SOLD,

ABOUT 800 Acres of good Land, in Five Plantations, in *St. Mary's* County; on one of the Plantations, situate on the River *Patowmack*, there is a Brick House in good Order, 2 Stories high, with 4 Rooms and a large Passage on a Floor, with Office-Houses, &c. Also, about 800 Acres in *Virginia*, viz. 499 near the Town of Dumfries, 161 near the *Great Falls of Patowmack*, 92 upon *Cedar Run*, and the Remainder of a Tract of Land in *Fauquier* County, patented to the Rev. *Lawrence De Butts*. Proposals for the Whole, or any Part of the above recited Lands will be received, and an indisputable Title made to the Purchaser, by

tf JOHN DE BUTTS.

Annapolis, December 16, 1772.

ALL Persons indebted to the late Partnership of *Thomas Williams* and Co. are desired to make speedy Payment, to *Thomas Charles Williams* and Co. who are empowered to receive and settle all Accounts relative thereto.

We have just imported from London, *in Capt.* Hooper,

AN Assortment of Clothes, Linens, Silks, Millinery, Hosiery, Boots, Shoes, and Saddlery, which are to be disposed of at our Store, on the Front of the Dock, with a full Assortment of almost every Kind of dry Goods, at Wholesale or Retail, for a small Advance.

THOMAS HARWOOD, junr.
JOHN BRICE.

Elk-Ridge, December 18, 1772.

ANY Person that can come well recommended for his Care, Industry, Sobriety and Skill in the Tanning and Currying Business, will be put in Possession of a Tan-yard and Currying Shop, in a very good Neighbourhood for that Business, and where he may get a great Plenty of excellent Bark. The Yard will be let either with or without a young Negro Fellow, as an Assistant to the Master Workman; and as I intend erecting a Saw mill adjoining the said Yard early the ensuing Spring, the Purchaser may have the Advantage of the Sawdust arising from some particular Sorts of Wood, which I am perswaded will be of great Efficacy in the Tanning Business. For Terms apply to

H. RIDGELY.

Just imported, and to be sold by the Subscribers, at their Store on the Dock in Annapolis,

A QUANTITY of choice *Barbados* Rum and Spirits.

WALLACE, DAVIDSON and JOHNSON.

ANNAPOLIS: Printed by ANNE CATHARINE GREEN and SON.